



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

RANDY A. DANIELS
SECRETARY OF STATE

July 22, 2002

Ms. Mary G. Holt, Esq.
Office of General Counsel
National Oceanic and Atmospheric Administration
1305 East-West Highway, Room 6111
Silver Spring, Maryland 20910

RE: CZMA Consistency Appeal of Millennium Pipeline, LP

Dear Ms. Holt:

Thank you for your letter of July 16, 2002, inviting our comments on the July 11, 2002 submission by the Town of Cortlandt, entitled *Request of the Town of Cortlandt, New York, with Respect to the Appeal of Millennium Pipeline Company, L.P. from the New York State Department of State Coastal Zone Management Act Objection*, in the above captioned CZMA consistency appeal.

Specifically, the Town has requested the Secretary of Commerce to either (a) grant the Town intervenor or special party status, or (b) grant the Town *amicus* status and provide the Town with notice of proceedings and an opportunity to participate.

The Department of State would have no objection to the granting of intervenor, special party, or *amicus* status to the Town. Similarly, we would have no objection to providing notice and opportunity to the Town to participate in proceedings. As noted in our July 9, 2002 letter to you, we would support providing opportunities for comment to both the public and other interested agencies.

The Millennium pipeline, as currently proposed, would enter the Town's jurisdiction at Haverstraw Bay in the Hudson River, travel through the center of the community and bisect Route 9. The blasting and excavation of rock in the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat would occur within the Town's boundaries.

Thank you again for providing us with the opportunity to comment on the Town's submission.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glen Bruening".

Glen T. Bruening
General Counsel

Mr. Frederic G. Berner, Jr., Esq.
Mr. Daniel Riesel, Esq.